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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/380,447

09/01/1999

Sachdev S. Sidhu

11669.141USWO

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23552 7590 03/05/2008

MERCHANT & GOULD PC

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EXAMINER

STEELE, AMBER D

ART UNIT

PAPER NUMBER

1639

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03/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>APPLICATION NO.</b> <b>09380447</b>	<b>FILING DATE</b> 9/1/1999	<b>FIRST NAMED INVENTOR</b> <b>SIDHU ET AL.</b>	<b>ATTORNEY DOCKET NO.</b> <b>11669.141USWO</b>
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**EXAMINER**

Amber D.. Steele

**ART UNIT****PAPER**

1639

20080225

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

1)The present application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821 (a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825. Specifically, claims 4, 52, 53, 54, 56, 57, 58, 60, 61, and 62 contain variable sequences without proper SEQ ID NO(s): (e.g. only variable residues are provided for wild type SEQ ID NO: 2). SEQ ID NO: 2 is the wildtype protein wherein all of the residues are provided (i.e. no variable residues). Claims 4, 52, 53, 54, 56, 57, 58, 60, 61, and 62 require at least three variable residues at positions 1-30 while residues 31-50 are specifically defined (i.e. at least 4 specifically defined amino acids). A sequence such as "Xaa Val Ile Val Gly Ala Thr Ile Gly Ile Lys Leu Phe Pys Lys Phe Thr Ser Lys Ala Ser" is required. Please refer to SEQ ID NO: 1 for another example (i.e. variable residues further defined; not all 20 amino acid residues possible).

2) Please refer to MPEP § 2422.03. In those instances in which prior art sequences are only referred to in a given application by name and a publication or accession reference (e.g. variations of a WT protien indicated by residue number only), they need not be included as part of the "Sequence Listing," unless an examiner considers the referred- to sequence to be "essential material," per MPEP § 608.01(p). It is generally acceptable to present a single, general sequence in accordance with the sequence rules and to discuss and/or claim variants of that general sequence without presenting each variant as a separate sequence in the "Sequence Listing."

3)Applicant is given ONE MONTH from the date of this letter within which to comply with the Sequence Rules, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In NO case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

4)Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber D. Steele whose telephone number is 571-272-5538. The examiner can normally be reached Monday through Friday 9:00AM-5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Schultz can be reached at 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 25, 2008

/Amber D. Steele/  
Patent Examiner, Art Unit 1639